REMARKS

Claims 1-20 were pending at the time of examination. Claims 1-4, 8 and 11-20 have been amended. No new matter has been added. The applicant respectfully requests reconsideration based on the foregoing amendments and these remarks.

Claim Rejections – 35 U.S.C. § 112

The rejection of claims 1-4 and 11-20 under the second paragraph of 35 U.S.C. 112 as being indefinite for including the trademark JavaScript^{TM}/ Java^{TM} was maintained by the Examiner. The applicant has accepted the Examiner's suggestion to remove the trademarks from the claims and has amended the claims accordingly to refer to "interpreted script language program." Thus, it is respectfully submitted that claims 1-4 and 11-20 as amended are definite and it is respectfully requested that all rejections under 35 U.S.C. 112 be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 4 were rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 7,093,194 B2 to Nelson (hereinafter "Nelson"). The applicant respectfully traverses these rejections.

Claim 1, as amended, recites:

"A process for setting up the execution of a server-side method by a client-side data processing system, comprising:
creating an Application Program Interface on the server side for a server-side software method;
automatically creating an interpreted script language program that contains calls to the server-side software method in accordance with the Application Program Interface; and
sending the created interpreted script language program to the client side."

As can be seen above, claim 1 is directed to a "process for *setting up the execution of a server-side method* by a client-side data processing system." This is done by creating an API on the server for the server-side software method, automatically creating an interpreted script language program that contains calls to this server-side software method in accordance with the API that was set up, and finally sending the interpreted script language program to the client side. Once the client has received the interpreted script language, the client can invoke the script in order to call the corresponding methods on the server. The server then executes the called methods and returns the results to the client. Thus, by using the process described in claim 1, it

is possible to avoid user/developer setup on the client whenever changes occur to the server-side methods, which is otherwise necessary in conventional setups.

As was discussed in the most recent office action response, Nelson does not disclose a *set up process* for client-server communication, as described in claim 1. Instead, Nelson is directed to "a web-based data access system that allows people to easily access, manipulate and share information" (col.1, lines 35-37). The techniques described in Nelson already assume that there are already established techniques for the client to call the methods on the server, and does not discuss how such communications are initially set up.

Furthermore, while the applicant agrees with the Examiner that on a very general level Nelson shows sending a script from a server to a client, this script is not "an interpreted script language program *that contains calls to the server-side software method in accordance with the Application Program Interface*," as required by claim 1. Instead, the client-side scripts in Nelson are generated in response to a client request for a script for creating a presentation model, which is a translation of a report object. When executed on the client, the script builds a client-side presentation model that corresponds to the report object on the server (col. 8, lines 47-53). That is, this script does not contain calls to a server-side software method in accordance with the API, as required by claim 1. Instead, the script runs locally on the client with the purpose of converting data (i.e., the report object) received from the server to a client-side presentation model, so that the report object is properly displayed on the client. Again, this does not happen in the course of a set up process, as described in claim 1, but well into a well-established communications pattern between the client and server in Nelson. For at least these reasons, it is respectfully submitted that the rejection of claim 1 under 35 U.S.C § 102(b) is unsupported by the art and should be withdrawn.

Claim 4 depends directly from claim 1, and contains further limitations which the Examiner could not explicitly find in Nelson. Thus, for at least reasons substantially similar to those set forth above, the applicant respectfully contends that the rejection of claim 4 is unsupported by the cited art and should be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 2, 12-13 and 17-20 were rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson in view of U.S. Patent No. 6,369,821 B1 to Merrill et al. (hereinafter "Merrill"). The applicant respectfully traverses these rejections.

Claim 2 depends directly from claim 1, and is thus neither anticipated nor rendered obvious by Nelson for at least the reasons discussed above. Furthermore, the Examiner

acknowledges that Nelson does not disclose executing the script on the client side to call the server-side software method, as recited in claim 2, and relies on "an analogous process" in Merrill to show this.

The applicant generally agrees with the Examiner's assertion that Merrill shows executing a script on the client side to access a server. However, just like Nelson, Merrill does neither disclose a "process for *setting up the execution of a server-side method* by a client-side data processing system," nor provide any further details on how the interpreted script language program is created and distributed to the client to cure the deficiencies of Nelson. Again, both Merrill and Nelson assume that the client is already in possession of the information needed to call the methods on their respective servers. In order to establish a *prima facie* case of obviousness, the Examiner must not only show a motivation to combine Nelson and Merrill, but also a reasonable expectation of success, and that the combination of the references teaches or suggests all the claim limitations. Respectfully, this has not been done, and for at least these reasons, the rejection of claim 2 is unsupported by the art and should be withdrawn.

Claims 12-13 depend directly from claim 2. Thus, for reasons substantially similar to those set forth above, the applicant respectfully contends that the rejection of claims 12-13 is unsupported by the cited art and should be withdrawn.

Claim 17 recites similar distinguishing features to claim 2, and claims 18-20 depend directly from claim 17. Thus, for reasons substantially similar to those set forth above, the applicant respectfully contends that the rejection of claims 17-20 is unsupported by the cited art and should be withdrawn.

Claim 3 was rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson in view of Merrill and in further view of U.S. Patent No. 6,549,955 B2 to Guthrie et al. (hereinafter "Guthrie"). The applicant respectfully traverses this rejection. Claim 3 depends directly from claim 2, and is thus neither anticipated nor rendered obvious by the Nelson and Merrill combination for at least the reasons discussed above. The Examiner acknowledges that Nelson and Merrill, alone or in combination, do not disclose "executing the interpreted script language program includes creating a programming language object having the same name as a server-side programming language bean," as recited in claim 3, and relies on and "analogous process" in Guthrie for this showing. Guthrie describes "a software system for dynamic *generation of remote proxy classes at runtime* through a distributed object management system" (Abstract). While Guthrie may describe a system where the proxy objects have the same name as the corresponding server objects, Guthrie does not add any further features that renders claim 2 any more obvious than the Nelson/Merrill combination. Since claim 3 depends directly from claim

2, the applicant respectfully contends that the rejection of claim 3 is unsupported by the cited art and should be withdrawn for at least the reasons discussed above with respect to claim 2.

Claims 5 and 7-8 were rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson in view of U.S. Patent Publication No. 2003/0218633 A1 to Mikhail et al. (hereinafter "Mikhail"). The applicant respectfully traverses these rejections. Claim 5 depends directly from claim 1, and is thus neither anticipated nor rendered obvious for at least the reasons discussed above with respect to claim 1. The Examiner acknowledges that Nelson does not disclose "identifying the registered server-side methods," as recited by claim 5, and relies on an analogous process in Mikhail for this showing. However, the cited passage of Mikhail describes "*specifying a callback method* for the desired notification." This is not the same as *identifying the registered server-side methods*, as described in claim 5. Thus, for at least these reasons, and the reasons discussed above with respect to claim 1, it is respectfully submitted that claim 5 is neither anticipated nor rendered obvious by the cited art and that the rejection be withdrawn.

Claims 7-8 depend directly from claim 5. Thus, for reasons substantially similar to those set forth above, the applicant respectfully contends that the rejection of claims 7-8 is unsupported by the cited art and should be withdrawn.

Claim 6 was rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson and Mikhail as applied to claim 5, and further in view of U.S. Patent No. 6,836,889 B1 to Chan et al. (hereinafter "Chan"). The applicant respectfully traverses these rejections. Claim 6 depends directly from claim 5, and is thus neither anticipated nor rendered obvious by the Nelson and Michail combination for at least the reasons discussed above with respect to claim 5. Furthermore, Chan is an improper reference to apply under 35 U.S.C § 103(a), since it only qualifies under 35 U.S.C § 102(e) and both Chan and the present invention were subject to an obligation of assignment to International Business Machines Corporation at the time of the invention. Thus, for at least these reasons, it is respectfully submitted that claim 6 is neither anticipated nor rendered obvious by the cited art and that the rejection be withdrawn.

Claims 9-11 were rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson in view of U.S. Patent No. 7,043,732 B2 to Mandal et al. (hereinafter "Mandal"). The applicant respectfully traverses these rejections. Claims 9-11 depends from claim 1 and are, for reasons substantially similar to those set forth above, not anticipated or rendered obvious by the cited art. The applicant respectfully requests that the rejection of claims 9-11 under 35 U.S.C § 103(a) be withdrawn.
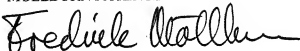
Claims 14-16 were rejected under 35 U.S.C § 103(a) as being unpatentable over Nelson and Merrill as applied to claim 2 and further in view of U.S. Patent No. 6,457,066 B1 to Mein et

al. (hereinafter "Mein"). The applicant respectfully traverses these rejections. Claims 14-16 depend from claims 2 and 1, respectively, and are for reasons substantially similar to those set forth above with respect to claims 2 and 1, not anticipated or rendered obvious by the cited art. Mein provides a general description of the SOAP protocol, but does not render claims 1 or 2 more obvious than the Nelson/Merrill combination alone. Thus, the applicant respectfully requests that the rejection of dependent claims 14-16 under 35 U.S.C § 103(a) be withdrawn.

Conclusion

The applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should any extensions of time be required to extend the pendency of this case, the applicant authorizes the Commissioner to withdraw any fees necessary for such an extension from Deposit Account No. 090460. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
MOLLBORN PATENTS

Fredrik Mollborn
Reg. No. 48,587

2840 Colby Drive
Boulder, CO 80305
(303) 459-4527